

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES FERMAN CHATMAN,

Defendant.

8:21CR295

ORDER

This matter is before the Court on the government’s Motion for Turnover of Funds to Satisfy Restitution (Filing No. 76). The government has moved for an order “directing the Omaha Police Department to turnover funds seized from [defendant James Ferman Chatman (“Chatman”)] during its investigation into [Chatman’s] criminal activity to the Clerk of the District Court for the District of Nebraska” and further directing the Clerk “to apply the funds to [Chatman’s] restitution” and special assessment obligations. The defendant stated that he has no objection to the motion, but requests any balance be refunded to him. The Court has carefully reviewed the record in this case and finds as follows:

1. On January 12, 2023, Chatman entered a plea of guilty to Count I of the Indictment, charging him with sex trafficking of a minor and by force, in violation of 18 U.S.C. §§ 1591(a)(1) and (b)(1).

2. As part of the investigation into Chatman’s criminal activity, the Omaha Police Department seized \$1985 from Chatman’s person and continues to have custody and control of the currency.

3. The Court has ordered Chatman to pay \$1300 in restitution to Minor Victim 1.

4. The Court has also ordered Chatman to pay a mandatory special assessment of \$100.

5. Following imposition of criminal restitution judgment, the judgment “may be enforced against all property or rights to property” of the defendant with only a few exceptions. 18 U.S.C. §§ 3613(a), 3613(f). Entry of a criminal restitution judgment creates a lien in favor of the United States on all property and rights to property of the defendant as if it were a liability for a tax assessed under the Internal Revenue Code. 18 U.S.C. § 3613(c).

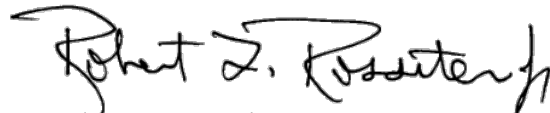
In light of the foregoing,

IT IS ORDERED:

1. The Omaha Police Department is directed to turn over the \$1985 seized from Chatman and currently in the Omaha Police Department’s custody and control to the Clerk of the District Court for the District of Nebraska to be applied to satisfy the restitution judgment of \$1300 and special assessment of \$100.
2. The Clerk of the District Court for the District of Nebraska shall remit the balance of \$585 to Chatman through his attorney, David R. Stickman, Federal Public Defender, One Central Park Plaza, 222 South 15th Street, Suite 300N, Omaha, Nebraska 68102.

Dated this 28th day of April 2023.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Robert F. Rossiter, Jr.", with a stylized flourish at the end.

Robert F. Rossiter, Jr.
Chief United States District Judge